

Remarks

Claims 1-18 and 40 are pending in this application. Of these claims, claims 6-18 and 40 are withdrawn from consideration. Claims 1-5 are rejected.

A. Claims 1-2 and 4-5 stand rejected as anticipated (35 U.S.C. 102(e)) or in the alternative as obvious (35 U.S.C. 103(a)) over U.S. Pat. Appl. Publ. No. 2004/0219855 to Tsotsis.

The Tsotsis products are composite materials, i.e., multi-axial fabrics comprising reinforcing layers of unidirectional fiber with nonwoven interlayers (spunbonded, spunlaced, or mesh fabrics) (see below) as described “interlayers 6 made of thermoplastic fibers are disposed between reinforcing fabric layers 2...” (paragraph [0037]).

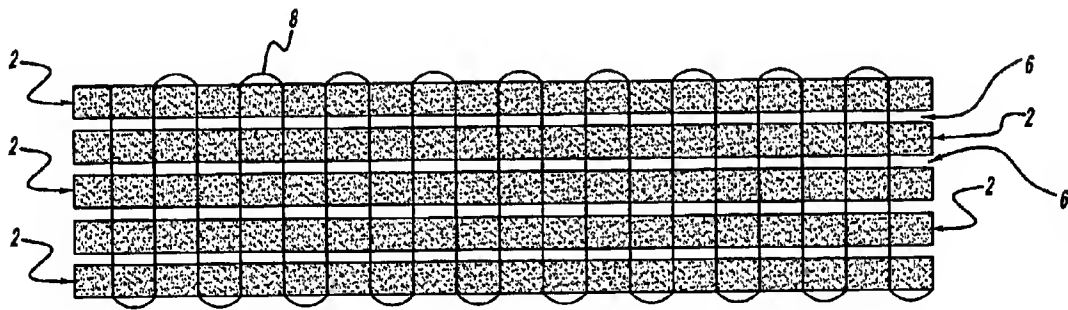


Figure 2 of Tsotsis

This rejection should be withdrawn as nonwoven, non-fabric composites are disclosed and claimed in the present application.

B. The Examiner has rejected claims 1-2 and 4-5 as unpatentable as anticipated by or in the alternative as obvious (35 U.S.C. 102(b) and 35 U.S.C. 103(a) respectively) over Bompard.

Claim 1, the only independent claim under consideration has been amended to recite that the two layer composite is formed from a substantially continuous nonwoven nonfabric polyphenylsulfone material, the long glass fibers being substantially embedded within the polyphenylsulfone material.

The Bompard reference in complete contrast is a textile (woven) structure characterized by “at least two stacked layers of FIT filaments, each of said filaments consisting of a core or reinforcement impregnated with or having a coating of thermoplastic material so as to be of relatively large diameter, the filaments in each of said layers extending parallel to one another and the filaments of each respective one of said layers being non-interlaced with the filaments of each of the other respective said layers so that said layers of FIT filaments exhibit a planar configuration, and the filaments of each one of said layers extending in a direction perpendicular to the direction in which the filaments of another of said layers extend, and a binding weave binding said layers of FIT filaments together, said binding weave consisting of a warp and a weft of threads having a diameter smaller than the diameter of said FIT filaments, said binding weave securing said filaments in position relative to one another in a manner in which the planer configuration exhibited by said layers of FIT filaments is maintained” (claim 1 of Bompard).

The difference in structures is clearly seen from the following:

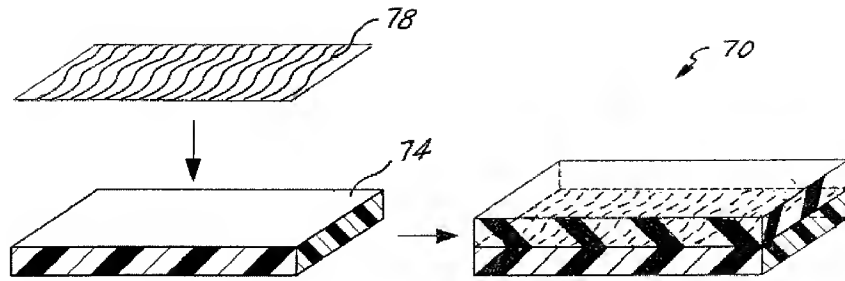


FIG. 17

Figure 17 of the instant application.

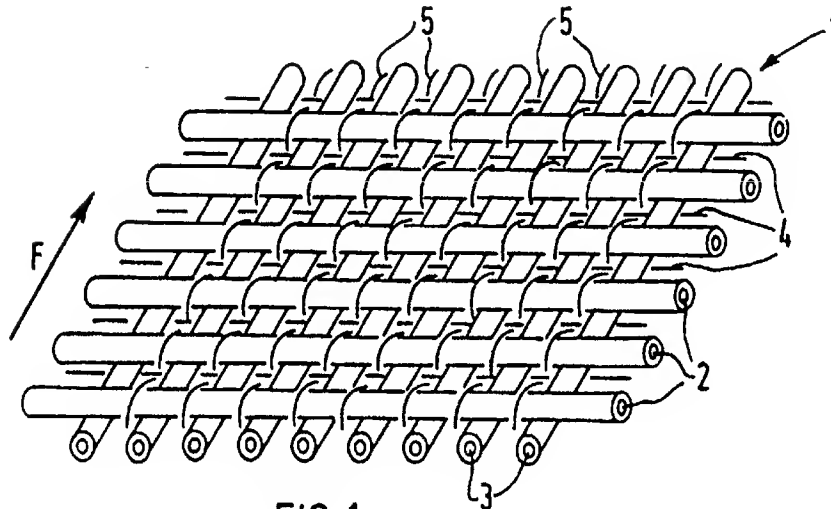


FIG.1

Figure 1. of Pompard.

The rejections on anticipation and obviousness based on Bompard should be withdrawn.

C. The Examiner has rejected claims 1-5 under 35 U.S.C. 103(a) over Tsotsis in view of Gomez.

As noted above, the applicant will swear back of Tsotsis so that it is not available as a reference. In the alternative, the Tsotsis reference can be distinguished as it utilizes fabric layers.

D. Claims 1-5 have been rejected as being unpatentable over Bompard in view of Gomez.

It is the Examiner's position that Bompard discloses a two layer composite comprising a substantially continuous polyphenylsulfone substrate and a plurality of unidirectional glass fibers substantially embedded within the substrate.

The applicant notes the arguments submitted above and the amendment to the claims. Of equal importance, it is noted that the relied-on portion of Bompard reads "According to the essential feature of the invention, the two unidirectional layers of FIT type filaments (2,3) are bound by a binding weave comprising a weft consisting of parallel filaments (4), and a warp consisting of filaments (5) which extend parallel to each other, are oriented perpendicularly to the weft and each pass, as illustrated in FIGS. 2-4, respectively alternately over a weft filament (4) and only one FIT filament (2) in one (the upper in the figures) of two adjacent layers of the FIT filaments, the general arrangement being that illustrated in FIG. 1." (underline ours, column 2, last paragraph). There are two unidirectional layers arranged perpendicularly to one another in the manner of a warp and a weft..." (see Fig. 1).

Gomez is relied on with respect to specific glass fibers. No matter the identity of the fibers, the invention as defined in the amended claims is not taught by Bompard and Gomez.

In view of the above, reconsideration and allowance of claims 1-5 is believed in order and is now respectfully requested.

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Respectfully submitted,

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